

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 48-69 are pending in this application. Claims 48 and 55-62 and Claims 63-69 are added by the present response without introducing new matter. Support for additions to the claims can be found in Figure 6, page 3, line 1 to page 4, line 27, page 6, lines 12-14, page 7, lines 1-2, page 8 line 35 to page 9, line 1 and page 11, lines 14-17 and the claims as originally filed.

In the outstanding Office Action, Claims 56-61 were objected to as including informalities; Claims 55-61 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; Claim 62 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement; Claims 48, 49, 51-56 and 58-62 were rejected under 35 U.S.C. 103(a) as unpatentable over Microsoft Windows NT (herein, “WinNT”) in view of Myer et al. (U.S. Pat. No. 6,615,088, herein “Myer”); and Claims 50 and 57 were rejected under 35 U.S.C. 103(a) as unpatentable over WinNT and Myer in view of Battat et al. (U.S. Pat. No. 5,958,012, herein “Battat”).

With respect to the objection to Claims 56-61 as including informalities, Claims 56-61 have been amended to overcome to objection. Accordingly, Applicants respectfully request that the objection to Claims 56-61 be withdrawn.

With respect to the rejection of Claims 55-61 under 35 U.S.C. §101 as directed to non-statutory subject matter, Claims 55-61 have been amended to overcome the rejection. Specifically, Claims 55-61 have been amended to recite “a controller including a man-machine interface.” Accordingly, Applicants respectfully request that the rejection of Claims 55-61 under 35 U.S.C. §101, be withdrawn.

With respect to the rejection of Claim 62 under 35 U.S.C. §112, second paragraph, Claim 62 has been amended to remove the reference to tangible medium. Accordingly, Applicants respectfully request that the rejection of Claim 62 under §112, second paragraph, be withdrawn.

Addressing now the rejection of Claims 48, 49, 51-56 and 58-62 under 35 U.S.C. §103(a) as unpatentable over WinNT and Myer, that rejection is respectfully traversed.

Amended Claim 48 recites, in part,

A method for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, comprising:

...receiving a selection of a function in the selectively displayed menu; and

controlling the network device to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

Claims 55, 62 and 63 recite similar features regarding the protocol standards, however in different claim formats.

The WinNT reference shows screenshots of the Windows NT operating system and the explorer program included in the WinNT OS. Myer describes a system for controlling devices over a network.

However, the combination of WinNT and Myer does not describe or suggest controlling the network device to execute the selected function based on a respective one of the protocol standards, the network devices being connected to the home network via different protocol standards.

The outstanding Action acknowledges on page 6, that WinNT fails to teach network devices that are connected to a home network. Applicants further submit that WinNT fails to teach controlling a network device to execute a selected function based on a respective one of

the protocol standards, the network devices being connected to the home network via different protocol standards.

The outstanding Action relies on Myer as curing the deficiencies of WinNT with regard to the claimed invention.

However, Applicants respectfully submit that Myer does not describe or suggest controlling a network device to execute a selected function based on a respective one of the protocol standards, the network devices being connected to the home network via different protocol standards.

Specifically, Myer describes that control area networks 30 and 31 are local area networks operating using a transport protocol such as Ethernet, AXLink or PHASTLink. However, there is no indication that the internet appliances 37-39 are accessed using different protocol standards. Thus, the combination of WinNT and Myer does not describe the features claims in amended Claim 48.

In addition, the invention recited in amended Claim 48 provides that advantage that it is possible to control all devices and/or service (i.e. functions) corresponding to the devices in the same way, irrespective of their type and local connection to said home network. As a result a user can directly control all devices, and services corresponding thereto, from one common man-machine interface in a familiar and comprehensive manner. This feature is not provided by the combination of WinNT and Myer as this combination only allows access to devices that have the same network interface.

In addition, with respect to Claims 48, 55 and 62 the combination of WinNT and Myer does not describe or suggest that the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent *from the providing network device to the selected network device* via the home network.

In other words, the interface enables a user to send an audio/video signal from one home network device to another device via the home network.

The outstanding Action states that this feature is described by WinNT, “upon user selection of the “Play” function, the selected network device of the Audio CD player will play the data stream, i.e. a particular track selected on the providing network device, i.e. the computer as shown in Screenshots 6-8” and by Myer “the selected devices, i.e. appliances such as the CD player or VCR receives instructions send from the providing network device, i.e. the master controller via the network to act according to the input command from the user the received instructions includes instructing the TV to turn on to a particular channel broadcasting a specific video signal, i.e. program.”

However, neither of these references describes that an audio/video signal from one home network device is sent to another device via the home network.

In WinNT the Audio CD player plays a data stream on a computer, however, the Audio CD player is not a network device connected to the home network (the CD player is included in the computer). However, even if Myer is combined with WinNT this combination does not describe that an audio/video signal can be sent from one home network device to another device via the home network. In Myer the network enables the administrator to turn on the TV but does not allow the VCR to stream audio/video from the VCR to the TV via the home network.

Accordingly, the combination of WinNT and Myer does not describe or suggest the features recited in Claims 48, 55, 62 and 63. Thus, Claims 48, 55, 62 and 63, and claims depending therefrom, patentably distinguish over WinNT and Myer considered individually or in combination.

In addition, the further cited Battat reference does not cure the above noted deficiencies of WinNT and Myer noted above.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 48-69 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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